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HARRINGTON & SMITH, LLP
4 RESEARCH DRIVE
SHELTON, CT 06484-6212

EXAMINER	
RADTKE, MARK A	

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2165	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/663,477	NIELSEN ET AL.	
	Examiner	Art Unit	
	Mark A. X Radtke	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 June 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau.(PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Remarks

1. In response to communications filed on 23 June 2006, claim(s) 1, 15, 18 and 19 is/are amended, and new claim(s) 20-25 is/are added per Applicant's request. Therefore, claims 1-25 are presently pending in the application, of which, claim(s) 1, 15, 18, 19, 20 and 23 is/are presented in independent form.

2. In light of Applicant's arguments and amendments, the objection to claims 1, 15, 18 and 19 is withdrawn. Examiner notes that the "organised" is an accepted spelling.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 20, 22, 23 and 25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

5. Regarding claims 20 and 23, claims must be directed towards one of three statutory categories: methods, systems or articles of manufacture (apparatus).

Computer programs are inherently abstract until they are embodied on hardware ("computer readable media") and executed by a processor.

6. Regarding claims 22 and 25, signals in general are forms of energy (not matter). Therefore, they are non-statutory.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1, 3-9, 12-16 and 20-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki et al. (US 20030158837).

With respect to claim 1, Suzuki et al. discloses an electronic device comprising: a digital camera (i.e., *"a camera for taking the photograph of the listed person"* The preceding text clearly indicates that a camera is incorporated into the apparatus.)(Paragraph 18); a user input device (i.e., *"an input section for inputting at least the person identifying information"* The preceding text and figures 4 and 6 clearly indicates that a user input is incorporated into the apparatus.)(Paragraph 18) memory means storing computer program instructions (i.e., *"a controller 34 for controlling the various operations performed by the display section 31, the input section*

32, the camera 33, and the address book DB 35" ... "FIG. 8(b) shows the display screen when the camera application is activated" The preceding text clearly indicates that a controller controls the operations of the address book DB (database) and the camera. A camera application disclosed is activated and in order for this memory must be incorporated to store the instructions of the application.)(Paragraph 34 and 41); and a processor operable under the control of the computer program instructions to provide separately a database application and a camera control application (i.e., *"a controller 34 for controlling the various operations performed by the display section 31, the input section 32, the camera 33, and the address book DB 35" ... "FIG. 8(b) shows the display screen when the camera application is activated"* The preceding text clearly indicates that a controller controls the operations of the address book DB (database) and the camera. The address book (database application) and the camera application (camera control application) are implemented via controller.)(Paragraph 34 and 41), wherein the database application is arranged to enable a user to access personal data organized as a plurality of entries in a database (i.e., *"a controller 34 for controlling the various operations performed by the display section 31, the input section 32, the camera 33, and the address book DB 35"* The preceding text clearly indicates that address book DB operations are controlled by the controller, which can include accessing the information stored in the address book. The purpose of an address book is to store information of a number of people and to be able to access this information for various reasons.)(Paragraph 34), where each of the plurality of entries is associated with a different person and has one or more alphanumeric text fields and an image field (i.e., *"a name field 2, a photograph pasting area 3, a telephone number field 4, and an E-mail address field 5 are shown on the display screen 1"* The preceding text clearly indicates that a photograph pasting area (image field) and telephone, name, and address field (text fields) are provided for when adding an entry in the address book DB. An address book serves to store a plurality of contact entries.)(Paragraph 28) and wherein the camera control application is arranged to enable the user to control the device using the user input device to capture an image via the digital camera and to present a user selectable option, on capturing an image, for entering the database application and using the captured image as an image field of an entry of the database (i.e., *"a controller for performing control to display the photograph pasting area and image captured by the camera" ... "The control to display an image captured by the camera 33 in the photograph pasting area is performed by this controller 34." ... "When the Yes button is selected, that is, when the user desires*

to save the image, a photograph ID which servers as the content ID of the image is acquired (S8 in FIG. 7), and the ID is stored in the address book DB together with the listed person's name and other identifying information by the associated the photograph ID with the information identifying the listed person (S9 in FIG. 7)." The preceding text clearly indicates that a camera is controlled by the controller and an option for saving the captured image for a specified entry in the address book is provided. If the Yes option is chosen, the image is saved and associated with the information of the specified entry in the address book.. Saving an image inherently requires "entering the database application" because performing any reads or writes to a database require "entering" it)(Paragraph 18, 34 and 42).

With respect to claim 3, Suzuki et al. discloses wherein the camera control application is arranged to transfer the captured image from storage in a first memory to permanent storage in the database (i.e., *"The portable telephone user determines whether to save or not save the photographed still image (S7in FIG. 7). For example, a save window59 is displayed with a Yes button 60 and a No button 61, as shown in FIG. 8(c), prompting the user to select the desired button. When the No button 61 is selected, the process returns to the photograph shooting step S6 in FIG. 7, and is repeated until a desired image is obtained.*" The preceding text clearly indicates that the image captured must be stored in a temporary memory before the user decides to save the image or to repeat until the desired image is obtained. If the user selects No, the image that is stored in temporary memory can be overwritten with the new image that will be taken. Otherwise, the image that was taken will be saved into a permanent memory where the address book can access it.)(Paragraph 43).

With respect to claim 4, wherein the camera control application is arranged to control the creation of a new entry in the database (i.e., *"a controller 34 for controlling the various operations performed by the display section 31, the input section 32, the camera 33, and the address book DB 35" ... "In FIG. 7, the process proceeds to S2 to determine whether a photograph is to be taken or not" ... "FIG. 8(b) shows the display screen when the camera application is activated" ... "When the Yes button is selected, that is, when the user desires to save the image, a photograph ID which servers as the content ID of the image is acquired (S8 in FIG. 7), and the ID is stored in the address book DB together with the listed person's name and other identifying information by the*

associated the photograph ID with the information identifying the listed person (S9 in FIG. 7)." The preceding text clearly indicates the camera application controls the creation of an entry into the address book. When Yes is selected for saving the image, the entry is then saved into the address book.)(Paragraphs 34, 38, 41 and 44).

With respect to claim 5, wherein the camera control application is arranged to control the amendment of an existing entry in the database (i.e., *"Next using the edit function of the address book the photograph retrieved from the memory is pasted into a photograph pasting area which is displayed on the display screen along with the person identifying information" ... "FIG. 8(b) shows the display screen when the camera application is activated" ... "When the Yes button is selected, that is, when the user desires to save the image, a photograph ID which servers as the content ID of the image is acquired (S8 in FIG. 7), and the ID is stored in the address book DB together with the listed person's name and other identifying information by the associated the photograph ID with the information identifying the listed person (S9 in FIG. 7)."* The preceding text clearly indicates the camera application controls the creation of an entry into the address book. When Yes is selected for saving the image, the entry is then saved into the address book. Editing an entry of the address book is disclosed and the steps of capturing or using an existing picture can be used.)(Paragraphs 7, 39, 41 and 44).

With respect to claim 6, Suzuki et al. discloses wherein the user input device enables a user to selectively use either the database application or the camera control application (i.e., *"a controller 34 for controlling the various operations performed by the display section 31, the input section 32, the camera 33, and the address book DB 35" ... "In FIG. 7, the process proceeds to S2 to determine whether a photograph is to be taken or not" ... "On the other hand, if a photograph previously taken and stored in memory is to be pasted into the photograph pasting area of the address book, the process proceeds to S4 in FIG. 7 to select the desired image data from a list of photographs. After the selection is made, the selected image data is pasted as a photograph into the photograph pasting area to complete the entry operation" ... "FIG. 8(b) shows the display screen when the camera application is activated"* The preceding text clearly indicates that the address book and camera application are used when adding an image to the address book. The camera can be selected by itself since the previous text discloses a

photograph taken beforehand or the address book can be selected by itself when creating an entry by using an existing image.)(Paragraphs 34, 38, 39 and 41).

With respect to claim 7, Suzuki et al. discloses wherein the user input device is the keypad of a mobile telephone (i.e., *"an input section for inputting at least the person identifying information"* ... *"if the information processing apparatus 30 is a portable wireless communication apparatus such as a portable telephone"* The preceding text and figures 4 and 6 clearly indicates that the user input that is incorporated into the apparatus is a keypad of a portable telephone (mobile telephone).)(Paragraphs 18 and 34).

With respect to claim 8, Suzuki et al. discloses wherein the database application functions as at least a telephone book (i.e., *"a controller 34 for controlling the various operations performed by the display section 31, the input section 32, the camera 33, and the address book DB 35"* The preceding text clearly indicates that a controller controls the operations of the address book DB (database). The address book (telephone book) serves as the database application.)(Paragraph 34).

With respect to claim 9, Suzuki et al. discloses wherein each one of the plurality of database entries has at least one alphanumeric text field for storing a telephone number (i.e., *"a name field 2, a photograph pasting area 3, a telephone number field 4, and an E-mail address field 5 are shown on the display screen 1"* The preceding text clearly indicates that a telephone field is provided for storing the telephone number of an entry. An address book serves to store a plurality of contact entries.)(Paragraph 28).

With respect to claim 12, Suzuki et al. discloses wherein the processor is operable under the control of computer program instructions to provide an image viewing application (i.e., *"On the other hand, if a photograph previously taken and stored in memory is to be pasted into the photograph pasting area of the address book, the process proceeds to S4 in FIG. 7 to select the desired image data from a list of photographs. After the selection is made, the selected image data is pasted as a photograph into the photograph pasting area to complete the entry operation"* The preceding text clearly indicates previous photographs taken are saved in memory.

In order to select an existing photograph an image viewer must be used.)(Paragraph 39), wherein selection of a first one of the plurality of user selectable options, makes the captured image accessible, via the database application, as an image field of a database entry (i.e., *"a controller for performing control to display the photograph pasting area and image captured by the camera" ... "The control to display an image captured by the camera 33 in the photograph pasting area is performed by this controller 34." ... "FIG. 8(b) shows the display screen when the camera application is activated" ... "When the Yes button is selected, that is, when the user desires to save the image, a photograph ID which servers as the content ID of the image is acquired (S8 in FIG. 7), and the ID is stored in the address book DB together with the listed person's name and other identifying information by the associated the photograph ID with the information identifying the listed person (S9 in FIG. 7)."* The preceding text clearly indicates that a camera is controlled by the controller and an option for saving the captured image for a specified entry in the address book is provided. The camera application provides the capturing of an image and provides the user an option save the captured image to an entry of the address book.)(Paragraph 18, 34, 41 and 42) and wherein selection of a second one of the plurality of user selectable options makes the captured image available via the image viewing application (i.e., *"On the other hand, if a photograph previously taken and stored in memory is to be pasted into the photograph pasting area of the address book, the process proceeds to S4 in FIG. 7 to select the desired image data from a list of photographs. After the selection is made, the selected image data is pasted as a photograph into the photograph pasting area to complete the entry operation"* The preceding text clearly indicates previous photographs taken are saved in memory. The user has the option of choosing an existing photograph in memory and in order to select an existing photograph an image viewer must be used.)(Paragraph 39).

With respect to claim 13, Suzuki et al. discloses further comprising a temporary memory for temporarily storing a captured image (i.e., *"The portable telephone user determines whether to save or not save the photographed still image (S7in FIG. 7). For example, a save window 59 is displayed with a Yes button 60 and a No button 61, as shown in FIG. 8(c), prompting the user to select the desired button. When the No button 61 is selected, the process returns to the photograph shooting step S6 in FIG. 7, and is repeated until a desired image is obtained."* The preceding text clearly indicates that the image captured must be stored in a temporary memory

before the user decides to save the image or to repeat until the desired image is obtained. If the user selects No, the image that is stored in temporary memory can be overwritten with the new image that will be taken.)(Paragraph 43).

With respect to claim 14, Suzuki et al. discloses wherein the processor is operable under the control of computer program instructions to provide an image viewing application (i.e., *"FIG. 2 shows the display screen when referring to the address book."* ... *"The information processing apparatus 30 comprises a display section 31, on which is displayed an address book having person identifying information identifying a person listed therein and a photograph pasting area into which a photograph of the listed person is pasted, and an input section 32, which is used to input the person identifying information."* The preceding text and figure 2 clearly that the address book application provides a display that allows the user to view the image associated with an entry.)(Paragraph 29 and 33), and the camera control application is arranged to transfer the captured image from temporary storage in the temporary memory to permanent storage accessible by the viewing application (i.e., *"The portable telephone user determines whether to save or not save the photographed still image (S7in FIG. 7). For example, a save window59 is displayed with a Yes button 60 and a No button 61, as shown in FIG. 8(c), prompting the user to select the desired button. When the No button 61 is selected, the process returns to the photograph shooting step S6 in FIG. 7, and is repeated until a desired image is obtained."* The preceding text clearly indicates that the image captured must be stored in a temporary memory before the user decides to save the image or to repeat until the desired image is obtained. If the user selects No, the image that is stored in temporary memory can be overwritten with the new image that will be taken. Otherwise, the image that was taken will be saved into a permanent memory where the address book can access it.)(Paragraph 43).

With respect to claim 15, Suzuki et al. discloses a method of modifying a database that organises personal data as a plurality of entries where each of the plurality of entries is associated with a different person and has one or more alphanumeric text fields and an image field, comprising: providing a first application that captures an image and enables a user to enter a second application and assign the captured image to an image field of a first database entry (i.e., *"a controller for performing control to display*

the photograph pasting area and image captured by the camera" ... "The control to display an image captured by the camera 33 in the photograph pasting area is performed by this controller 34." ... "FIG. 8(b) shows the display screen when the camera application is activated" ... "When the Yes button is selected, that is, when the user desires to save the image, a photograph ID which servers as the content ID of the image is acquired (S8 in FIG. 7), and the ID is stored in the address book DB together with the listed person's name and other identifying information by the associated the photograph ID with the information identifying the listed person (S9 in FIG. 7). " The preceding text clearly indicates that a camera is controlled by the controller and an option for saving the captured image for a specified entry in the address book is provided. The camera application provides the capturing of an image and provides the user an option save the captured image to an entry of the address book.. Saving an image inherently requires "entering the database application" because performing any reads or writes to a database require "entering" it. Suzuki et al. anticipates "a second application" Fig. 6 indicates that the database application is a separate system block and thus a different program)(Paragraph 18, 34, 41 and 42); and providing a second application for accessing the first database entry to display the image (i.e., *"FIG. 2 shows the display screen when referring to the address book." ... "The information processing apparatus 30 comprises a display section 31, on which is displayed an address book having person identifying information identifying a person listed therein and a photograph pasting area into which a photograph of the listed person is pasted, and an input section 32, which is used to input the person identifying information."* The preceding text and figure 2 clearly that the address book provides a display that shows an entry's information as well as an image associated with that entry.)(Paragraph 29 and 33).

With respect to claim 16, Suzuki et al. discloses wherein the first application, on capturing an image, immediately enables a user to assign the captured image to an image field of a database entry (i.e., *"The portable telephone user determines whether to save or not save the photographed still image (S7in FIG. 7). For example, a save window59 is displayed with a Yes button 60 and a No button 61, as shown in FIG. 8(c), prompting the user to select the desired button." ... "When the Yes button is selected, that is, when the user desires to*

save the image, a photograph ID which servers as the content ID of the image is acquired (S8 in FIG. 7), and the ID is stored in the address book DB together with the listed person's name and other identifying information by the associated the photograph ID with the information identifying the listed person (S9 in FIG. 7)." The preceding text clearly indicates that the image captured can be saved and assigned to an entry in the address book by the user. The image is then saved with the entry's information in the address book DB.)(Paragraph 43 and 44).

As to claim 20, Suzuki et al. teaches a computer program (see Abstract) comprising:

For the remaining steps of this claim applicant(s) is/are directed to the remarks and discussions made in claim 1 above.

As to claim 21, Suzuki et al. teaches a physical entity embodying the computer program as claimed in claim 20 (see Fig. 4-5).

As to claim 22, Suzuki et al. teaches an electromagnetic carrier signal carrying the computer program as claimed in claim 20 (see paragraph [0047], "wireless communication apparatus" and see 35 U.S.C. 101 rejections).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 2 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (US 20030158837) in view of Kahn et al. (US 20010050875).

With respect to claim 2 and 17, Suzuki et al. discloses an option for using the captured image as an image field of an entry of the database (i.e., *"The portable telephone user determines whether to save or not save the photographed still image (S7in FIG. 7). For example, a save window59 is displayed with a Yes button 60 and a No button 61, as shown in FIG. 8(c), prompting the user to select the desired button."* ... *"When the Yes button is selected, that is, when the user desires to save the image, a photograph ID which servers as the content ID of the image is acquired (S8 in FIG. 7), and the ID is stored in the address book DB together with the listed person's name and other identifying information by the associated the photograph ID with the information identifying the listed person (S9 in FIG. 7)."* The preceding text clearly indicates that the image captured can be saved and assigned to an entry in the address book by the user. The image is then saved with the entry's information in the address book DB.)(Paragraph 43 and 44).

Suzuki et al. does not distinctly disclose the camera control application is arranged to immediately present a plurality of user-selectable options on capturing an image.

Kahn et al. discloses wherein the camera control application is arranged to immediately present a plurality of user-selectable options on capturing an image (i.e., *"a manually-operable control selection 26 adapted to select between different functions or processes performed by the camera"* ... *"FIG. 6A shows a screen 60*

displayed on the camera display 20 to the user, giving the user the choice of what mode of operation to put the camera into (input via the button 26)." The preceding text clearly indicates the camera possess different modes of operation for the user to choose from.)(Paragraph 96 and 149)

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Suzuki et al. with the teachings of Kahn et al.'s to consist of wherein the camera control application is arranged to immediately present a plurality of user-selectable options on capturing an image with the motivation for giving the user the choice of what mode of operation to put the camera into (input via the button 26). (Kahn et al: paragraph 149)

11. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (US 20030158837) in view of Morita. (US 6766018).

With respect to claim 10, Suzuki et al. does not distinctly disclose operating as a telephone, further comprising a display, wherein the processor is responsive to an incoming call to display an image from the image field of a database entry that has an alphanumeric text field corresponding to the telephone number originating the incoming call.

Morita discloses operating as a telephone, further comprising a display, wherein the processor is responsive to an incoming call to display an image from the image field of a database entry that has an alphanumeric text field corresponding to the telephone number originating the incoming call (i.e., ""*When a call comes, this capability can display image information together with name information, helping the user understand immediately who the caller is.*"" The preceding text clearly indicates that when a call arrives, the image relating to the information of the caller is displayed.)(Column 1 lines 38-40).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Suzuki et al. with the teachings of Morita's to consist of operating as a telephone, further comprising a display, wherein the processor is responsive to an incoming call to display an image from the image field of a database entry that has an alphanumeric text field

corresponding to the telephone number originating the incoming call with the motivation for readily recognizing the caller instead of reading the caller's information. (Morita: column 1 lines 33-40)

With respect to claim 11, Suzuki et al. does not distinctly disclose wherein an entry of the database can be selected by a user by scrolling the image fields of the database.

Morita discloses wherein an entry of the database can be selected by a user by scrolling the image fields of the database (i.e., *"Such a portable video telephone can also handle stored image information as information attached to the registered data in the phone book. At the time the phone book is searched for personal information, this capability can permit the user to conduct a search while viewing image information."* The preceding text clearly indicates that phone book information can be searched by viewing the associated images of the entries.)(Column 1 lines 35-37).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Suzuki et al. with the teachings of Morita's to consist of wherein an entry of the database can be selected by a user by scrolling the image fields of the database with the motivation for readily recognizing the caller instead of reading the caller's information. (Morita: column 1 lines 33-40)

12. Claims 18-19 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (US 20030158837) in view of Sato et al. (EP 1067748A2).

With respect to claim 18, Suzuki et al. discloses an electronic device comprising: message reception means (i.e., *"the apparatus further includes a wireless communication unit for transmitting and receiving information such as voice or mail via communication network, plus an antenna"* The preceding text clearly indicates that a communication unit is disclosed for the transmission and reception of information.)(Paragraph 35); a user input device (i.e., *"an input section for inputting at least the person*

identifying information" The preceding text and figures 4 and 6 clearly indicates that a user input is incorporated into the apparatus.)(Paragraph 18); memory means storing computer program instructions (i.e., *"a controller 34 for controlling the various operations performed by the display section 31, the input section 32, the camera 33, and the address book DB 35" ... "FIG. 8(b) shows the display screen when the camera application is activated"* The preceding text clearly indicates that a controller controls the operations of the address book DB (database) and the camera. A camera application disclosed is activated and in order for this memory must be incorporated to store the instructions of the application.)(Paragraph 34 and 41); and a processor operable under the control of the computer program instructions to provide separately a database application and a messaging application (i.e., *"a controller 34 for controlling the various operations performed by the display section 31, the input section 32, the camera 33, and the address book DB 35" ... "the apparatus further includes a wireless communication unit for transmitting and receiving information such as voice or mail via communication network, plus an antenna"* The preceding texts clearly indicates that a controller controls the operations of the address book DB (database) and that the communication unit provides the transmission and reception of messages such as email. Software instructions such as accessing the address book DB and receiving/transmitting mail, must be present in order for these operations to be performed.)(Paragraph 34 and 35), wherein the database application is arranged to enable a user to access personal data organized as a plurality of entries in a database, where each of the plurality of entries is associated with a different person and has one or more alphanumeric text fields and an image field (i.e., *"a name field 2, a photograph pasting area 3, a telephone number field 4, and an E-mail address field 5 are shown on the display screen 1"* The preceding text clearly indicates that a photograph pasting area (image field) and telephone, name, and address field (text fields) are provided for when adding an entry in the address book DB. An address book serves to store a plurality of contact entries.)(Paragraph 28) and to present a user selectable option for using the image as an image field of an entry of the database (i.e., *"In FIG. 7, the process proceeds to S2 to determine whether a photograph is to be taken or not" ... "On the other hand, if a photograph previously taken and stored in memory is to be pasted into the photograph pasting area of the address book, the process proceeds to S4 in FIG. 7 to select the desired image data from a list of photographs. After the selection is made, the selected image data is pasted as a photograph into the photograph pasting area to complete the entry operation"* The preceding text clearly indicates

that the user has the option of using an image that already exists as the image of an entry of the address book.)(Paragraphs 38 and 39).

Suzuki et al. does not distinctly disclose wherein the messaging application is arranged to display a received message including an image.

Sato et al. discloses wherein the messaging application is arranged to display a received message including an image (i.e., *"Moreover, there is provided means for transmitting image data or telephone directory data including image data through the communication means. Since the structure is formed as described above, sharing of the telephone directory data, addition of telephone directory data to an electronic mail and connection to an external apparatus for constituting telephone directory data can easily be performed."* ... *"The third embodiment has a structure that image data input through communication means is related to personal information of the connected telephone. Then the image data is stored in the memory card connected to the telephone apparatus.* The preceding text and figure 9 clearly indicates that image data can be sent through communication means and can be displayed via control means through the display. Thus image data can be received or transmitted and associated with personal information.)(Paragraph 7 and 48).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Suzuki et al. with the teachings of Sato et al.'s to consist of wherein the messaging application is arranged to display a received message including an image with the motivation for associating the image to personal information in an telephone directory. (Sato et al: paragraph 4)

With respect to claim 19, Suzuki et al. a method of modifying a database that organizes personal data as a plurality of entries where each of the plurality of entries is associated with a different person and has one or more alphanumeric text fields and an image field, comprising: providing a first application that enables a user to assign the image to an image field of a first database entry; and providing a second application for accessing the first database entry to display the image (i.e., *"FIG. 2 shows the display screen when referring to the address book."* ... *"The information processing apparatus 30 comprises a display section 31, on which is displayed an address book having person identifying information identifying a person listed therein and*

a photograph pasting area into which a photograph of the listed person is pasted, and an input section 32, which is used to input the person identifying information." The preceding text and figure 2 clearly that the address book provides a display that shows an entry's information as well as an image associated with that entry.) (Paragraph 29 and 33)

Suzuki et al. does not distinctly disclose receiving an image in an incoming message.

Sato et al. discloses receiving an image in an incoming message. (i.e., *"Moreover, there is provided means for transmitting image data or telephone directory data including image data through the communication means. Since the structure is formed as described above, sharing of the telephone directory data, addition of telephone directory data to an electronic mail and connection to an external apparatus for constituting telephone directory data can easily be performed."* ... *"The third embodiment has a structure that image data input through communication means is related to personal information of the connected telephone. Then the image data is stored in the memory card connected to the telephone apparatus.* The preceding text and figure 9 clearly indicates that image data can be sent through communication means and can be displayed via control means through the display. Thus image data can be received or transmitted and associated with personal information.) (Paragraph 7 and 48).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Suzuki et al. with the teachings of Sato et al.'s to consist of receiving an image in an incoming message with the motivation for associating the image to personal information in an telephone directory. (Sato et al: paragraph 4)

With respect to claim 23, Suzuki et al. teaches a computer program (see Abstract) comprising:

For the remaining steps of this claim applicant(s) is/are directed to the remarks and discussions made in claim 18 above.

As to claim 24, Suzuki et al., as modified, teaches a physical entity embodying the computer program as claimed in claim 23 (see Fig. 4-5).

As to claim 25, Suzuki et al., as modified, teaches an electromagnetic carrier signal carrying the computer program as claimed in claim 23 (see paragraph [0047], "wireless communication apparatus" and see 35 U.S.C. 101 rejections).

Response to Arguments

13. Applicant's arguments filed on 23 June 2006 with respect to the rejected claims in view of the cited references have been fully considered but are not deemed persuasive.

In response to Applicant's arguments that "Suzuki does not disclose presenting a user selectable option, upon capturing an image, of entering a database application and saving the captured image in the database", the arguments have been fully considered but are not deemed persuasive. Figure 6 indicates that camera (element 33) and input (element 32) logic are separated from database logic (element 35).

In response to Applicant's arguments that "Kahn does not disclose or fairly suggest assigning an image to an image field", the arguments have been fully

considered but are not deemed persuasive. Examiner did not state that Kahn et al. suggests assigning an image to an image field. Examiner stated that Kahn et al. taught "immediately presenting a plurality of user-selectable options on capturing an image" and Suzuki et al. taught "an option for using the captured image as an image field of an entry of the database". Combining these teachings results in "immediately presenting a plurality of user-selectable options on capturing an image include an option for assigning the captured image to an image field of a database entry".

In response to Applicant's arguments that "Morita [...] does not appear to disclose capturing an image nor presenting a user selectable option, on capturing an image, for entering a database", the arguments have been fully considered but are not deemed persuasive. The limitations of "capturing" and "entering" are not found in claims 10 and 11, but in claim 1, which was rejected under 35 U.S.C. 102 in view of Suzuki et al. Morita is not incorporated to teach those features.

In response to Applicant's arguments that "[n]either Suzuki nor Morita appear to disclose or fairly suggest "wherein the camera control application is arranged to enable a user to control the device using the user input device to capture an image via a the digital camera and present a user selectable option, on capturing an image, for entering the database application and using the captured image as an image field of an entry of the database", the arguments have been fully considered but are not deemed persuasive. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they

amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. See the preceding paragraph for additional discussion of these claims.

In response to Applicant's arguments that "Sato does not disclose displaying images from a received message and giving a user an option of saving these images in a database", the arguments have been fully considered but are not deemed persuasive. As stated in the previous Office Action, Sato et al. is cited for teaching "receiving an image in an incoming message" and "the messaging application arranged to display a received message including an image", which are taught in paragraphs [0007] and [0048]. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Besides the previously cited paragraphs, Sato et al. teaches receiving a message in additional depth in paragraph [0066]: "Stored image data is read by the image-data converting program". This data transmission from storage to image-converting program is a message and also is sent in response to a message. With respect to Applicant's argument regarding "saving", the remarks do not address the rejection and thus are moot. "Saving" is taught by Suzuki et al.

In response to Applicant's argument that "[t]here would be no reason why a person skilled in the art would look to combine the teachings of Sato with those of Suzuki as they relate to different technical areas", the arguments have been fully considered but are not deemed persuasive. Sato et al. and Suzuki et al. both relate to displaying photographic address book information on the digital display of a telephone. In a broad sense, both references relate to the art of database software programming, and it is reasonable to expect to be able to combine the functionality of most software programs.

In response to Applicant's argument that "even in combination Sato and Suzuki do not disclose all of the features of the present invention" because they fail to teach "using an image, from a displayed message, as an image field of an entry of a database", the arguments have been fully considered but are not deemed persuasive. An incoming phone call is a message signaling the user to pick up the phone. **From** that signal, a caller is determined and the corresponding picture is displayed.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

15. Any inquiry concerning this communication or earlier communications should be directed to the examiner, Mark A. Radtke. The examiner's telephone number is (571) 272-7163, and the examiner can normally be reached between 9 AM and 5 PM, Monday through Friday.

If attempts to contact the examiner are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached at (571) 272-4146.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Customer Service at (800) 786-9199.

maxr
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28 September 2006

JEFFREY [illegible]
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100